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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/309,747	05/11/1999	CORNELIS G.J. VAN DEN AKER	6185	7923

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EXAMINER

TRINH, MINH N

ART UNIT

PAPER NUMBER

3729

DATE MAILED: 09/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/309,747	VAN DEN AKER, CORNELIS G.J.
	Examiner Minh Trinh	Art Unit 3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 June 2002.
 - 2a) This action is FINAL. 2b) This action is non-final.
 - 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
- Disposition of Claims**
- 4) Claim(s) 37-44 and 49-52 is/are pending in the application.
 - 4a) Of the above claim(s) 40 and 49-52 is/are withdrawn from consideration.
 - 5) Claim(s) _____ is/are allowed.
 - 6) Claim(s) 37-39 and 41-44 is/are rejected.
 - 7) Claim(s) _____ is/are objected to.
 - 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 - 1.) Certified copies of the priority documents have been received.
 - 2.) Certified copies of the priority documents have been received in Application No. _____.
 - 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Receipt is acknowledged of the "conditional" request for RCE application is acceptable and a RCE has been established. Claims 37-44 and 49-52 are now pending in this application. Claims 40, 45-52 are being drawn to non-elected invention have been withdrawn from further consideration (see paper No. 15, paragraph 3). An action on the CPA follows.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features such as a unitary housing having a solid top surface, solid bottom surface, etc., must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 37-39, 41-45, 47-48, and 53-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not clear whether "a plurality of vertically disposed parallel side walls" as same as "solids side walls" as previously claimed in lines 2-3. Also, it is unclear of what part of the structure applicant is referring as solid top surface. Please clarify.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 37-39 and 41-44 as best understood are rejected under 35 U.S.C. 102(b) as being anticipated by Glover et al (US 4,846,727).

Glover et al teach a press block comprising including a generally planar base 54, a unitary housing 38 with a solid side walls 48 (see Fig. 2, col. 2, lines 30-35), a plurality of discrete openings 52 there through and the plurality of discrete openings arranged in plurality of rows and columns (see Figs. 2-3, which shows plurality openings on the base 54 and being arranged in rows and columns, and discussed at col. 2, lines 40-45), and plurality of parallel side walls 42, 44 extending from edges of the base and defining at least two open areas between the side walls in communication with the openings in the base, the open area having a cross sectional area larger than the cross sectional area of the openings in the base (figure 2-3, col. 2, lines 36-44). It is noted that Figure 2 of Glover et al show a top surface 56 of Glover et al is being solid therefore the broadly claimed a solid top surface is met by Glover et al.

As applied to claim 38, Glover et al teach the rows and columns are being defined by reinforcing member and inserting member (see figure 2, which shows the associated reinforcing member 64 and 18 to define the rows and columns).

Limitations of claims 39 and 42-43 are also met as replied upon discussion of above.

As applied to claim 44, Glover et al teach the second stackable mating press block 92 without a loss contact position (see Figure 6).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 37-39 and 41-44 as best understood, are in the alternatively rejected under 35 U.S.C. 103(a) as being unpatentable over Glover et al in view of Applicant Admitted Prior art (AAPA)[figures 4-6, and discussed at page 9)

In the alternative, if it is argued that Glover et al do not teach the solid top surface. AAPA teaches the solid top surface (see Figs 4-6 of the submitted prior art, which shows a press block with a solid top surface 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention to employ the teaching of the press block wherein the top surface is being solid as taught by AAPA onto the invention of Glover et al as so to obtain a connector structure with a solid top

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surface for the benefit of interconnecting purpose. Furthermore, it would have been an obvious matter of design choice to choose any desired material structure such as one cited by the present invention a solid top surface since applicant has not disclosed that the claimed a solid top surface would solve any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the teaching of integrally formed as a unit as taught by Glover et al. It is noted that a number of cited references teaches the concept wherein a top surface of the connector is being solid i.e., applicant is referred to US patent 5,504,989, particularly, figures 1-2, which shows a solid top surface 12 and/or US patent 5,208,968 teaches the same, a solid top surface (see demonstration of figure 3).

Limitations of claims 38-39 and 42-44 are met as relied upon discussion above.

As applied to claim 41, Glover et al do not teach the press block is a polymer and fine grain metal or metal injection molded. It would have been an obvious matter of design choice to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice since the applicant has not disclosed that the use of a polymer and fine grain metal solves any stated problems or is for any particular purposed and it appears that the invention would perform equally well with any equivalent conventional as taught by the provided prior art.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7307 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

mt
September 21, 2002

A handwritten signature in black ink, appearing to read "PETER VO", is written over a stylized, horizontal, swoosh-like flourish.

PETER VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700